

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

IN RE: )  
GOOGLE INC. COOKIE PLACEMENT ) MDL NO. 12-2358-SLR  
CONSUMER PRIVACY LITIGATION )

**O R D E R**

At Wilmington this 27th day of February, 2013, having conferred with counsel and having reviewed their supplemental submissions regarding the question of whether to stay the above captioned litigation pending a decision by the United States Judicial Panel on Multidistrict Litigation ("JPML") regarding the transfer to this court of two actions currently pending in the United States District Court for the Eastern District of New York;<sup>1</sup>

IT IS ORDERED that:

1. Briefing on the pending motions to intervene (D.I. 62, 64) is stayed, pending the JPML's decision. Given that the JPML decision will play a significant role in determining the outcome of said motions, i.e., briefing will have to be substantially changed to reflect said decision, and absent agreement among the parties, movants shall file their supplemental briefing fourteen days after the JPML issues its decision, with plaintiffs' responsive papers due fourteen days thereafter.<sup>2</sup>
2. Similarly, the schedule related to defendants Media Innovation Group, LLC,

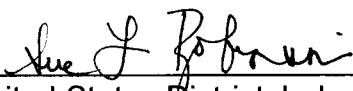
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<sup>1</sup>*Frohberg v. Media Innovation Group, LLC*, 12-CV-2674 (E.D.N.Y.) and *Mazzone v. Vibrant Media Inc.*, 12-CV-2672 (E.D.N.Y.).

<sup>2</sup>The tentative status conference set for May 7, 2013 is cancelled.

WPP plc, and Vibrant Media Inc.'s motions to dismiss is stayed (D.I. 67), pending the JPML's decision. Absent agreement among the parties, these defendants shall file any motions to dismiss and opening briefs fourteen days after the JPML issues its decision, with briefing thereafter to follow D. Del. LR 7.1.2(b) .

3. Briefing on the pending motions to dismiss (D.I. 52, 56) shall proceed. The briefing schedules (D.I. 51, 67) are reset with plaintiffs' response to the pending motions due on March 22, 2013 and replies due April 12, 2013. Although I do not intend to resolve said motions before the JPML's decision, it strikes me that having completed briefing by defendants Google Inc. and PointRoll Inc. will help inform and expedite any motion practice by the newly added defendants (Vibrant Media Inc. and Media Innovation Group, LLC).

  
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United States District Judge